

1 THE HONORABLE JOHN C. COUGHENOUR  
2  
3  
4  
5  
6

7 UNITED STATES DISTRICT COURT  
8 WESTERN DISTRICT OF WASHINGTON  
9 AT SEATTLE

10 WILLIAM KALLINEN,

11 Plaintiff,

12 v.

13 NANCY BERRYHILL, Commissioner of  
14 Social Security,

15 Defendant.

16 CASE NO. C17-5972-JCC

17 ORDER

18 This matter comes before the Court on Plaintiff's unopposed motion for attorney fees

19 (Dkt. No. 21) pursuant to 42 U.S.C. § 406(b)(1):

20 Whenever a court renders a judgment favorable to a claimant under this subchapter  
21 who was represented before the court by an attorney, the court may determine and  
22 allow as part of its judgment a reasonable fee for such representation, not in excess  
23 of 25 percent of the total past-due benefits.

24 42 U.S.C. § 406(b)(1). Plaintiff agreed to pay his attorney 25 percent of the total back-

25 pay benefits if he prevailed on appeal. (Dkt. No. 21-1 at 1.) Plaintiff's appeal was

26 successful and Plaintiff received \$86,192 in back-pay benefits. (Dkt. No. 21-2 at 1.)

Plaintiff now moves the Court to approve attorney fees in the amount of \$17,028. (Dkt.

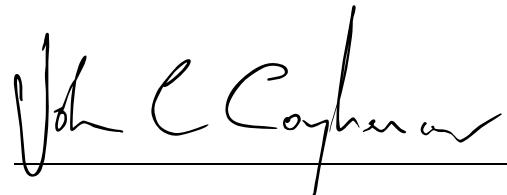
//

//

1 No. 21.) This amount is consistent with the statutory maximum and fee agreement. (Dkt.  
2 Nos. 21 at 4, 21-1.)

3 The Court finds that the total fee request is reasonable given the amount of time  
4 counsel expended on this case. Therefore, Plaintiff's motion for attorney fees (Dkt. No.  
5 21) is GRANTED. The Court authorizes counsel to charge attorney fees in the amount of  
6 \$17,028 in accordance with 42 U.S.C. § 406(b)(1). Counsel is DIRECTED to refund  
7 Plaintiff \$2,685.27, the amount previously paid to counsel under the Equal Access to  
8 Justice Act, 28 U.S.C. § 2412. (See Dkt. No. 21 at 2.)  
9

10 DATED this 22nd day of January 2019.

11  
12  
13  
14   
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

John C. Coughenour  
UNITED STATES DISTRICT JUDGE